

**COPY**

STATE OF NEW MEXICO  
COUNTY OF SANDOVAL  
THIRTEENTH JUDICIAL DISTRICT

Case No. D1329CV200701307

**WELLS FARGO BANK, N.A.,**

FILED IN MY OFFICE  
DISTRICT COURT CLERK

2010 FEB 25 AM 11:24

THERESA VALENCIA

BY \_\_\_\_\_ DEPUTY

Plaintiff,  
vs.

**DANA E. JARVIS; UNITED STATES OF AMERICA; OCCUPANTS, WHOSE  
TRUE NAMES ARE UNKNOWN; THE UNKNOWN SPOUSE OF DANA E.  
JARVIS, IF ANY,**

Defendants.

MOTION TO DISMISS

Plaintiff, **WELLS FARGO BANK, N.A.**, through its undersigned counsel, hereby asks the Court for an Order of Dismissal with Prejudice, dismissing the above-captioned action. As grounds for its Motion, Plaintiff states:

1. Defendant Dana E. Jarvis forfeited the subject property to Defendant United States of America.
2. On or about October 19, 2009, Defendant United States of America recorded a United States Marshal's Deed in favor of the Plaintiff, **WELLS FARGO BANK, N.A.**.
3. The matter has been resolved to the satisfaction of all parties.
4. The United States of America concurs with this Motion. Plaintiff is unable to obtain concurrence from Defendant Dana Jarvis. Defendant Jarvis is currently incarcerated in Bureau of Prisons Englewood, Colorado facility.

WHEREFORE, Plaintiff asks that it be allowed to dismiss its foreclosure action, and for such other relief as the Court deems just proper.

Respectfully Submitted,  
CASTLE MEINHOLD & STAWIARSKI

By:

D. Renae Richards Charney  
999 18th St., Suite 2201, Bin 1  
Denver, CO 80202  
(800) 286-0013; (303) 285-2222  
*Attorney for Plaintiff*

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing Motion to Dismiss has been forwarded by First Class U.S. Mail, postage prepaid, on this 24<sup>th</sup> day of February 2010, to:

Dana Jarvis, Register #31732-051  
FCI Englewood  
Federal Correctional Institution  
9595 West Quincy Avenue  
Littleton, CO 80123  
*Defendant Pro Se*

Manuel Lucero  
Assistant U.S. Attorney  
P. O. Box 607  
Albuquerque, NM 87103  
(505) 346-7274  
*Attorney for Defendant*  
*United States of America*

Jacqueline A. Strain  
Jacqueline A. Strain

**COPY**

STATE OF NEW MEXICO  
COUNTY OF SANDOVAL  
THIRTEENTH JUDICIAL DISTRICT

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2010 MAR -2 PM 3:01

Case No. D1329CV200701307

BY TERESA VALENCIA DEPUTY  
SANDOVAL COUNTY

**WELLS FARGO BANK, N.A.,**

Plaintiff,  
vs.

**DANA E. JARVIS; UNITED STATES OF AMERICA; OCCUPANTS, WHOSE  
TRUE NAMES ARE UNKNOWN; THE UNKNOWN SPOUSE OF DANA E.  
JARVIS, IF ANY,**

Defendants.

**ORDER OF DISMISSAL**

THIS MATTER having come before the Court on Plaintiff's Motion to Dismiss,  
and the Court being fully advised in the premises,

IT IS, THEREFORE ORDERED, ADJUDGED, AND DECREED the above-  
captioned matter is hereby dismissed with prejudice.

**JOHN F. DAVIS**

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**JOHN F. DAVIS**  
DISTRICT COURT JUDGE

Respectfully Submitted,  
CASTLE MEINHOLD & STAWIARSKI

By:

D. Renae Richards Charney  
999 18th St., Suite 2201, Bin 1  
Denver, CO 80202  
(800) 286-0013; (303) 285-2222  
*Attorney for Plaintiff*

APPROVED:

By: Unable to Obtain Concurrence – Defendant Incarcerated  
Dana Jarvis, Register #31732-051  
FCI Englewood  
Federal Correctional Institution  
9595 West Quincy Avenue  
Littleton, CO 80123  
*Defendant Pro Se*

By: Received concurrence via email on 1/27/10  
Manuel Lucero  
Assistant U.S. Attorney  
P. O. Box 607  
Albuquerque, NM 87103  
(505) 346-7274  
*Attorney for Defendant United States of America*